

To: CN=Don Waye/OU=DC/O=USEPA/C=US@EPA[]
Cc: []
Bcc: []
From: CN=Stephen Sweeney/OU=DC/O=USEPA/C=US
Sent: Mon 10/1/2012 7:05:06 PM
Subject: Re: Oregon CZARA & Timing of Pesticides Rulemaking Hearing
http://coastalmanagement.noaa.gov/nonpoint/pro_approve.html
(embedded image)

Excellent find. Thanks for this one.

Stephen J. Sweeney
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From: Don Waye/DC/USEPA/US
To: Stephen Sweeney/DC/USEPA/US@EPA
Date: 09/26/2012 06:07 PM
Subject: Oregon CZARA & Timing of Pesticides Rulemaking Hearing

Stephen,

Just some follow-up on the 12/31/2012 correspondence. In addition to the scanned document from Jan 2003 that I just sent you, I did find an electronic submittal from Oregon to NOAA and EPA pertaining to Agriculture. I have attached this. It does mention pesticides in the context of traditional agriculture, not silviculture.
[attachment "AGRICULTURE Final Draft 12-31-02.doc" deleted by Stephen Sweeney/DC/USEPA/US]
It was sent to me and others via email from Oregon DEQ's Don Yon on 12/31/2003. Here's a screenshot of what was sent.

Don

----- Forwarded by Don Waye/DC/USEPA/US on 09/26/2012 05:55 PM -----

From: Don Waye/DC/USEPA/US
To: Stephen Sweeney/DC/USEPA/US@EPA
Date: 09/26/2012 05:52 PM
Subject: Re: Oregon CZARA & Timing of Pesticides Rulemaking Hearing

Stephen,

I finally got my first opportunity to hunt down the documents you were looking for in our drawer of paper files. I have scanned some, but not all, of the documents you mention below. See my specific responses in red below.

Don Waye
U.S. Environmental Protection Agency
Nonpoint Source Control Branch (OWOW/AWPD)

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From: Stephen Sweeney/DC/USEPA/US
 To: Don Waye/DC/USEPA/US@EPA
 Date: 09/24/2012 09:24 AM
 Subject: Re: Oregon CZARA & Timing of Pesticides Rulemaking Hearing

Thanks. Do you have a copy of the 1/13/98 conditional approval that has letter head and signatures? The website version is a text file rather than a copy of the original.

No. I did not find this. I did find a few copies of signed letters transmitting DRAFT findings documents from 1996 and 1997 (not attached). I suspect that Region 10 and NOAA were the only signatories, so perhaps they still have copies. Shall I ask them?

Also, Nina Bell's correspondence refers to a memo from NOAA/EPA dated 10/29/99, which she says responds to Oregon's first response (April 1999) to the conditional approval. Do you have a copy of that?

I do not have a letter with that date. I do have an undated letter that transmits a status table dated 9/30/99 that NOAA and EPA generated for Oregon. both are attached. I also scanned an undated federal response to Oregon's submittal of April 1999 that was located next to the status table and letter in the paper file, indicating that it was generated about that time. There is no transmittal letter for it; I suspect it was emailed. However, that was before my time at EPA, so I do not have a copy of this correspondence. [attachment "OR_CZARA_fed_letter_Fall_1999.pdf" deleted by Don Waye/DC/USEPA/US] [attachment "OR_CZARA_Status_Table,9-30-99.pdf" deleted by Don Waye/DC/USEPA/US] [attachment "OR_CZARA_fed_response_Fall_1999.pdf" deleted by Don Waye/DC/USEPA/US]

Next, she cites to another letter (12/31/02), but I can't tell whether that is from NOAA/EPA or from Oregon. If you have that and could transmit a copy to me, that would help clarify things.

I am going to follow up a bit more on this in my electronic files, since I came to EPA and CZARA in June 2002. But I think this refers to an interim decision document that we transmitted to Oregon in early January 2003. This fits the normal pattern of a lag between when staff finalizes an interim decision document and when management signs the transmittal letters (esp. around the holidays). This is scanned and attached for you.

[attachment "OR_CZARA_Jan2003_interim_decision_doc.pdf" deleted by Don Waye/DC/USEPA/US]

Finally, she cites to one that does look like a NOAA/EPA document dated 6/12/08 labeled "preliminary decisions on information submitted by Oregon". If I could lay eyes on that one too, then I think I should be able to recreate what happened more objectively (than she does).

I located this; it's scanned and attached. The interim decision document is dated 6/12/2008, but the signed transmittal letter is dated 6/25/2008 (per my previous comment about lag times between staff technical docs and letters signed by management). [attachment "OR_CZARA_6-12-08_interim_decision_doc.pdf" deleted by Don Waye/DC/USEPA/US]

Thanks,

Steve

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From: Don Waye/DC/USEPA/US
To: Stephen Sweeney/DC/USEPA/US@EPA
Date: 09/21/2012 05:40 PM
Subject: Re: Oregon CZARA & Timing of Pesticides Rulemaking Hearing

Stephen,

ALL of the official findings documents and conditional and final approval documents are on NOAA's coastal nonpoint website here:
http://coastalmanagement.noaa.gov/nonpoint/pro_approve.html

So, does this mean that Region 10 has turned the corner past Denial Street and is committing an attorney to this?

Don

From: Stephen Sweeney/DC/USEPA/US
To: Don Waye/DC/USEPA/US@EPA
Date: 09/21/2012 05:30 PM
Subject: Re: Oregon CZARA & Timing of Pesticides Rulemaking Hearing

Don,

In my files, I've been trying to locate a copy of the January 13, 1998 conditional approval letter for Oregon. Do you have a copy that you could scan and send? Also, I think that might be a subsequent one from EPA/NOAA in 2002? I'm digging deeper into this (substantively) in preparation for preparing Ankur's replacement.

Thanks,

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